

1615.8
T. K. W.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Mason

Application No.: 10/045,730

Group Art Unit: 1615

Filed: October 19, 2001

Examiner: Isis A.D. Ghali

For: STERILE, BREATHABLE PATCH FOR
TREATING WOUND PAIN

Attorney Docket No.: 10071-018-999

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

Pursuant to Applicant's duty of disclosure under 37 C.F.R. §§ 1.97 and 1.98, enclosed are Forms PTO/SB/08a (5 sheets). The references listed in the Forms PTO/SB/08a submitted herewith are references that were submitted during the prosecution of U.S. Appl. Serial Nos. 10/137,685; and 09/425,925, now U.S. Patent Nos. 6,645,521 and 6,383,511, respectively. Pursuant to 37 C.F.R. § 1.98(a)(2) Applicants are not submitting copies of the U.S. patents listed on the Forms PTO/SB/08a.

Applicants would like to point out that with this Information Disclosure Statement, they are submitting a copy of a DVD (Cite No. A49). For the Examiner's convenience, Applicants also submit herewith a transcript of that video (Cite No. A50).

It is respectfully requested that these references be made of record in this application by the Examiner's completion and return of the Forms PTO/SB/08a.

This Information Disclosure Statement is being filed before the mailing date of any of a final action under § 1.113, a notice of allowance under § 1.311, or an action that otherwise closes prosecution in the application. Please charge the fee set forth in 37 C.F.R. § 1.17(p) to Jones Day deposit account 50-3013.

Respectfully submitted,

Date

August 26, 2005

Ricardo J. Moran Reg. No. 48,735

Jones Day

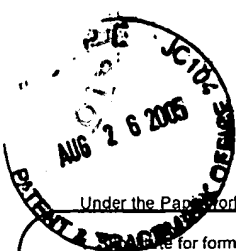
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**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

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Sheet 1 of 5

Complete if Known

Application Number	10/045,730
Filing Date	October 19, 2001
First Named Inventor	Paul A. Mason
Art Unit	1615
Examiner Name	Isis A.D. Ghali
Attorney Docket Number	10071-018-999

U. S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
	A01	US- 3,814,095	06-04-1974	Lubens	
	A02	US- 4,210,670	07-01-1980	Cooke	
	A03	US- 4,366,243	12-28-1982	Rupchock et al.	
	A04	US- 4,615,699	10-07-1986	Gale et al.	
	A05	US- 4,751,087	06-14-1988	Wick	
	A06	US- 4,765,986	08-23-1988	Liedtke	
	A07	US- 4,769,038	09-06-1988	Bendavid et al.	
	A08	US- 5,122,155	06-16-1992	Eberbach	
	A09	US- 5,272,139	12-21-1993	Cary Jr.	
	A10	US- 5,282,788 A	02-01-1994	Wilk et al.	
	A11	US- 5,330,452	07-19-1994	Zook	
	A12	US- 5,332,576	07-26-1994	Mantelle	
	A13	US- 5,366,460	11-22-1994	Eberbach	
	A14	US- 5,405,366	04-11-1995	Fox et al.	
	A33	US- 5,411,738	05-02-1995	Hind	
	A34	US- 5,415,866	05-16-1995	Zook	
	A17	US- 5,417,671	05-23-1995	Jackson	
	A18	US- 5,466,465	11-14-1995	Royds et al.	

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
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AUG 26 2005

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

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Sheet 2 of 5

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First Named Inventor Paul A. Mason
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Examiner Name Isis A.D. Ghali
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	A19	US- 5,601,838 A	02-11-1997	Hind	
	A20	US- 5,618,563	04-08-1997	Berde et al.	
	A21	US- 5,700,485	12-23-1997	Berde et al.	
	A22	US- 5,741,510	04-21-1998	Rolf et al.	
	A23	US- 5,760,077	06-02-1998	Shahinian Jr.	
	A24	US- 5,776,952	07-07-1998	Liedtke	
	A25	US- 5,790,023	08-04-1998	Wolfgang et al.	
	A26	US- 5,810,786	09-22-1998	Jackson et al.	
	A27	US- 5,827,529	10-27-1998	Ono et al.	
	A28	US- 5,840,755	11-24-1998	Liedtke	
	A29	US- 5,863,941	01-26-1999	Liedtke	
	A30	US- 5,916,583	06-29-1999	Broberg et al.	
	A31	US- 5,919,479	07-06-1999	Zhang et al.	
	A32	US- 5,922,026 A	07-13-1999	Chin	
	A33	US- 5,942,241	08-24-1999	Chasin et al.	
	A34	US- 5,976,547	11-02-1999	Archer et al.	
	A35	US- 5,993,836	11-30-1999	Castillo	
	A36	US- 6,007,843	12-28-1999	Drizen et al.	

FOREIGN PATENT DOCUMENTS

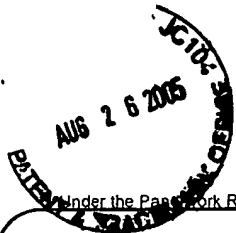
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Sheet 3

of

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Application Number	10/045,730
Filing Date	October 19, 2001
First Named Inventor	Paul A. Mason
Art Unit	1615
Examiner Name	Isis A.D. Ghali
Attorney Docket Number	10071-018-999

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	A37	US- 6,046,187	04-04-2000	Berde et al.	
	A38	US- 6,133,282	10-17-2000	Horvath et al.	
	A39	US- 6,143,278	11-07-2000	Elkhoury	
	A40	US- 6,217,911 B1	04-17-2001	Vaughn et al.	
	A41	US- 6,238,702 B1	05-29-2001	Berde et al.	
	A42	US- 6,239,180 B1	05-29-2001	Robbins	
	A43	US- 6,299,902 B1	10-29-2001	Jun et al.	
	A44	US- 6,410,048 B1	06-25-2002	Fotinos	
	A45	US- 6,461,644 B1	10-08-2002	Kelley et al.	
	A46	US- RE37,727 E	06-04-2002	Hind	
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FOREIGN PATENT DOCUMENTS

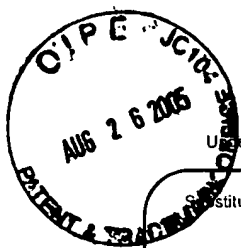
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Sheet	4	of	5	Attorney Docket Number	10071-018-999

NON PATENT LITERATURE DOCUMENTS				
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.		T ²
	A47	BERKOVITCH ET AL., 1995, "Use of Eutectic Mixture of Local Anesthetics for Prolonged Subcutaneous Drug Administration", J. Clin. Pharmacol. 35: 295-297.		
	A48	CASSEL, "A Model- Managed Care Hernia Care Clinic", Hernia 3 (Suppl. 1): S18 (abstract #79), presented at the 1999 Annual Meeting of the American Hernia Society, Las Vegas, NV, Feb. 22-24, 1999.		
	A49	CASSEL ET AL., "Lido Pain Patch," Infomercial (Video) 1995.		
	A50	CASSEL ET AL., Transcript from "Lido Pain Patch," Infomercial (Video) 1995.		
	A51	CASSEL, "A Model Managed Care Hernia Clinic", abstract/poster presented at the American College of the Surgeons Clinical Congress, Orlando, FL., Oct. 26, 1998.		
	A52	CASSEL, "A Model Managed Care Hernia Clinic", Hernia 2(Suppl. 1): S7(abstract #24), presented at the 1998 Annual Meeting of the American Hernia Society, Miami, FL., Feb. 6-8, 1998.		
	A53	FILOS AND LEHMANN, 1999, "Current Concepts and Practice in Postoperative Pain Management: Need for a Change?", Eur. Sur. Res. 31: 97-107.		
	A54	JUHLIN ET AL., 1980 "A Lidocaine-Prilocaine Cream for Superficial Skin Surgery and Painful Lesions", Acta Dermato-venereologica. 60: 544-546.		
	A55	LUBENS ET AL., 1974, "Anesthetic Patch for Painful Procedures Such As Minor Operations", Am J. Dis. Child., 128: 192-194.		
	A56	McCAFFERTY ET AL., 1988, "Comparative In Vivo and In Vitro Assessment of the Percutaneous Absorption of Local Anesthetics", Br. J. Anaesth. 60: 64-69.		

Examiner Signature		Date Considered	
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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Sheet	5	of	5
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<i>Filing Date</i>	October 19, 2006
<i>First Named Inventor</i>	Paul A. Mason
<i>Art Unit</i>	1615
<i>Examiner Name</i>	Isis A.D. Ghali
<i>Attorney Docket Number</i>	10071-018-999

NON PATENT LITERATURE DOCUMENTS

[illegible]

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